



### **CORRECTION**

This public notice was published with the incorrect date on 12/16/2013. The following notice contains the corrected information for the Public Hearing.

#### Notice of Public Hearing for Proposed Permit Amendment

The Wisconsin Department of Natural Resources, 2501 Golf Course Road, Ashland WI, 54806 is proposing to modify permit number 3-NO-1999-2-02032LS issued to Philip Myers for placement of a pier on the bed of Lake Superior.

The project is located in Section 3, Township 50 North, Range 2 West, Town of La Pointe, Ashland County.

The proposed modification of the Myers' pier will require the expansion of the flow-through opening from 12 feet to 60 feet. The existing cribs may be replaced by a support structure which will not obstruct the free movement of water or accumulate sediment and will span from the existing crib on shore to the waterward rock crib ell. The 12-ft flow-through pier opening is not sufficient to allow the free movement of water and sediment at this site. The opening is located above the waterline in many years and has been observed to be filled with sediment.

The public hearing is scheduled for:

January 7, 2014 at 1:00 PM  
County Board Room  
Bayfield County Courthouse  
117 E. 5<sup>th</sup> Street  
Washburn, WI 54891

The Madeline Island Dock Association, Inc. has expressed an interest to make a presentation. The Department has scheduled an opportunity to hear their presentation from 12:00-12:30.

The hearing will be a public informational hearing where individuals can learn more about the proposed amendment and submit written or oral comments about the waterway and project in light of the standards below. The Department is currently evaluating the proposed permit amendment and must consider factual information about the following legal standards in deciding whether to grant, modify, or deny a permit for the project:

- Whether navigation is materially obstructed, including commercial, recreational, active and passive forms of navigation
- Whether there is detriment to the public interest, including fish and wildlife or their habitat, natural scenic beauty or water quality
- Whether the flood flow capacity of a stream is materially reduced
- Whether the amendment is in compliance with *Findings of Fact, Conclusions of Law and Permit* issued by Administrative Law Judge Jeffrey Boldt on July 23, 2001

The Department has made a tentative determination that it will issue the amendment for the proposed activity.

The Department considers all the following information to make a decision to approve, modify or deny the application:

1. Applicable standards in statutes, rules, and common law.
2. Information gathered during site investigations.
3. Written or oral provided during a public comment period or public hearing.
4. Written or oral statements or information provided by local, state, and national government agencies.
5. Data or information found in natural resource inventories and plans, or maps collected by the department or others using commonly accepted methods.
6. Published scientific research.
7. Section. 1.11, Stats., Wisconsin environmental policy act, and ch. NR 150.
8. Any other pertinent information.

The Department has scheduled a public hearing on this activity or project because staff received a timely request for the hearing.

If you would like to know more about this project or would like to see the application and plans, please visit the Department's permit tracking website at <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx>

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

Any member of the public may submit written comments to Alyssa Core, Water Management Specialist, Wisconsin Department of Natural Resources, 2501 Golf Course Road, Ashland, WI 54806 by U.S. Mail. Comments shall include the docket number and shall relate to whether the project meets the legal standards listed above. Comments shall be postmarked no later than 10 days after the date that the public informational hearing is completed.

Pursuant to s. 30.208(3)(e), Stats, within 30 days after the public hearing is held, the Department shall render a decision that approves, modifies or denies the amendment that is the subject of the application.

The final decision may be appealed as indicated in the permit decision document.

Docket Number 3-NO-1999-2-02032LS

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

For the Secretary

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Alyssa Core  
Water Management Specialist

12/12/2013  
Date